

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

FILED BY *eg* D.C.
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THOMAS M. GOULD
CLERK, U.S. DISTRICT COURT
W.D. OF TENN. MEMPHIS

UNITED STATES OF AMERICA

Plaintiff,

v.

No. 05-2382-B/An

NATIONAL BANK OF COMMERCE,

Defendant/Third-Party Plaintiff,

v.

SPECIALTY FOODS, LLC, and PAUL T. CAPPS,

Third-Party Defendant.

ORDER OF REFERENCE

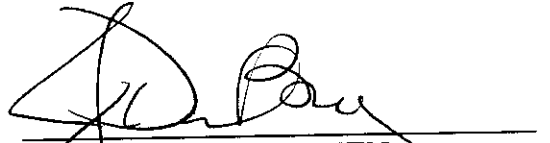
Before the court is Defendant/Third-Party Plaintiff National Bank of Commerce's Motion for Default Judgment Against Third-Party Defendants, Specialty Foods, LLC and Paul T. Capps filed on August 29, 2005.

This matter is hereby referred to the United States Magistrate Judge for a hearing on damages and for a report and recommendation in order to enable this court to enter a default judgment. See Rule 55(b)(2), Federal Rules of Civil Procedure. Any objections to the magistrate judge's report and recommendation shall be made within ten (10) days after service of the report, setting forth particularly those portions of the report objected to and the reasons for the objections. Failure to timely assign as error a defect in the magistrate judge's report will constitute a waiver of that objection. See Rule 72(a), Federal Rules of Civil Procedure.

This document entered on the docket sheet in compliance
with Rule 58 and/or 79(a) FRCP on 9-1-05

(31)

IT IS SO ORDERED this 31st day of August, 2005.



J. DANIEL BREEN
UNITED STATES DISTRICT JUDGE



Notice of Distribution

This notice confirms a copy of the document docketed as number 31 in case 2:05-CV-02382 was distributed by fax, mail, or direct printing on September 1, 2005 to the parties listed.

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Honorable J. Breen
US DISTRICT COURT